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NATIONAL STATUES.



BRONZE STATUE OF THE DUKE OF YORK, IN CARLTON GARDENS.

NATIONAL STATUES.

NO. VI. STATUE OF H. R. H. THE DUKE OF YORK,
IN CARLTON GARDENS, ST. JAMES'S PARK.

THE Statue of the Duke of York has been erected at the expense of several of His Royal Highness's admirers and friends. The direction of the work was originally vested in a Committee, consisting of the following distinguished persons:—

The late Lord Archbishop of Canterbury; The Right Rev. Dr. Howley, then Bishop of London; The Lord Bishop of Durham; The Duke of Rutland; The Duke of Wellington; The Marquis of Hertford; The Marquis of Anglesey; The Marquis of Londonderry; The Earl of Ludlow; The Earl of Rosslyn; The Earl of Aberdeen; The Earl of Verulam; The Earl of Lauderdale; Viscount Cathcart; Viscount Exmouth; Lord Farnborough; Lord G. H. Cavendish; Right Hon. Charles Arbuthnot, M.P.; Sir Thomas Lawrence; Sir John Doyle, Bart.; Sir William Curtis, Bart.; Sir George Cockburn; Sir Graham Moore; Sir Benjamin Hall; Alexander Baring, Esq., M.P.; John Pearce, Esq., M.P.; Lieut.-General Frederick Maitland, Honorary Secretary.

The work, to be executed in bronze, was intrusted to Richard Westmacott, Esq., R.A., in August, 1831; and we must say, after viewing it in a finished state in the Foundry at Pimlico, as well as since it has been fixed on its lofty pedestal, that we consider it a splendid specimen of art, worthy of this country, and of the eminent artist by whom it was modelled and cast.

In a former volume of this Magazine*, it was stated that the height of the York Doric column is that of Trajan's Pillar at Rome, namely, 124 feet; that, the height of the figure being about 14 feet, the whole altitude from the ground-line, at the top of the steps which lead to St. James's Park, to the summit of the figure would be 138 feet: if viewed from the bottom of the steps, the height is 156 feet. The foundation on which this enormous weight of column and statue rests, is in form about two-thirds of a pyramid, the base of this pyramidal mass being a square of 56 feet, and its top a square of 30 feet.

The laborious and responsible task of raising the statue to its present position, was safely performed on Tuesday, the 8th of April, 1834. A vast quantity of scaffolding had been fixed round the pillar, and to some height above it: strong cordage and chains were fastened under the arms, and about the body of the statue. It was then gradually elevated by ropes which went round pulleys at the top, and were worked by four machines below, on the principle of the windlass; but as the ascent, which occupied from ten in the morning till six in the evening, took place between the column and the scaffolding, little could be seen by those who were drawn together by the rarity of such a spectacle. Indeed, the mode in which this operation was executed, had nothing in it particularly worthy of remark. The statue, on reaching the top of the column, was powerfully secured by bars. Strong iron cramps, which had been fixed throughout the body, and projected to some length from each heel, were let into holes prepared to receive them, and were there firmly soldered.

We are now enabled to furnish a correct description of the Statue. The height is 13 feet 9 inches. The greatest width from the right hand, which leans upon the sword, is 8 feet. The Duke is represented, as he should be, in the modern costume, with a cuirass and military boots. Over his left shoulder is thrown an ample mantle, on which is emblazoned the Order of the Garter. The weight of the figure is about seven tons. It is cast hollow, gradually varying in its thickness from the lower part; and at a mean, may be taken at three-fourths of an inch.

Though not cast entirely at one jet, but in separate

pieces, the parts are so thoroughly amalgamated by bringing the separate portions of metal together into fusion, that they not only form one mass, but even the discerning eye of the artist himself, when the metal is cleaned off, is unable to discover the junction. This latter process, known only to the moderns, and we believe, exclusively to this country, is as important as it is curious. It reduces the risk in casting; for, in case of a failure in a single jet, it is necessary to reconstruct the whole mould. By the present plan, therefore, which is adopted in large works in bronze, the expense is materially diminished.

The figure, placed in one of the best situations which could have been selected in the metropolis for such an object, faces the south; the countenance which is somewhat turned round and raised, being towards the south-east. This aspect is judiciously chosen; the front of the statue thus receiving far more light than if it had been placed North, opposite to Waterloo Place, where it would have been much in the shade. Besides this, which is itself a satisfactory reason, it may be observed, as a becoming and appropriate circumstance, that a Commander-in-Chief and eminent officer should look towards the Horse-Guards, and to the head-quarters of that great department over which he so efficiently presided. For it is but common justice to the memory of the Duke, when adverting to his public character, to observe, that he conferred extraordinary benefits on the army, and therefore, on the country. With the heroic story of Britain's victories, under her matchless Wellington, the name of the Duke of York is inseparably connected. He had been forty-six years a soldier. When he came into office as Commander-in-Chief, he declared that he would, as far as it was in his power, improve the condition of the army.

To recount all the advantages rendered by the Duke of York, in his official capacity, it would be necessary to go through many particulars connected with points of discipline; regulations respecting military schools; personal attention to the conduct of individuals; the enforcement of order and punctuality. It is, indeed, allowed, even by those who as impartial chroniclers have deemed it just to touch upon his faults, that, as a public man, he identified himself with the welfare of the service; and by unceasing diligence in his situation, gave to the common soldier comfort and respectability. It is not too much to say, that his exertions contributed towards forming those armies that trampled down our country's enemies; while by their state of discipline, a point to which he had directed his great care, they generally gained the good will even of foreign lands.

ON THE ART OF CASTING FIGURES
IN METAL.

THE casting of bronze statues is a nice and difficult art, requiring long experience, and the careful management of a large plan of works. In modern times, bronze is generally composed of two-thirds of copper and one-third of brass; and sometimes small quantities of lead and zinc are added: these latter make together an inferior metal called composition metal. The union of the various substances makes the whole more fusible than when separate. The ancient Greek and Roman bronzes were evidently compounded in proportions different from these, being, in most instances, nearly two-thirds of brass, and one-third of copper, with the addition of tin and small portions of silver and lead. The specimens preserved to these days, which are probably some of the best the respective artists executed,

* Vol. II., p. 42.

furnish ample proof of the perfection of art, in the "high and palmy" periods of Greece and Rome.

We believe the following account of the process at present adopted will be found generally accurate. An exact model is made in clay, or plaster, of the figure to be cast, and coated over with wax not less than an inch thick, on which the artist works the impression meant to be taken. A mould is then formed, consisting of several hollow pieces of wood, or other resisting substance, filled with a mixture of clay and fine sand, which is applied soft to the model, that its outline may be received. The mould having become perfectly dry, and strongly fastened together by iron bands, is pierced by various channels; and the melted metal, which is discharged from a furnace by means of these into the interior, produces the cast. Where the cast is intended to be hollow, as in the statue of the Duke of York, described above, and in almost all large masses, a core or body, formed of clay, is put within the mould, to take up such room as is required to be left vacant: when the cast is made and become cold, this is picked out piece-meal. On the mould being taken off, the statue appears as if covered with spikes, which are the channels filled with metal: they are removed by saws, files, and chisels; and any imperfections on the surface having been corrected, the whole is finished. It is the beauty of the form and the delicacy of workmanship by which bronzes must be estimated, and not the colour, as the shade of dark green, which sometimes approaches to black, may, in a great degree, be regulated by the taste of the artist afterwards.

The account given by the clever, gossiping, Benvenuto Cellini*, of the execution of his figure of Perseus in bronze, at a single jet, conveys a striking idea of the difficulties as well as of the triumph of the art: and it is at the same time a curious picture of the manners of the times. We see, as it were, the enthusiastic artist in his studio at Florence, watching with anxious eye, every symptom in the progress of his favourite work. Under many difficulties, without money, discouraged by an uncertain patron, and frequently called away to court trifles, he still proceeded; and, with that warmth of temper which marked his character, and too often hurried him into acts of criminal violence, employed all imaginable means to procure a successful result. After preparing his furnace, carefully letting down the mould of the statue to the bottom, and adopting measures which he describes in his memoirs with amusing precision;

"Then" says he, "I excited my men to lay on the pine-wood, which because of the oiliness of its resinous matter, and that my furnace was admirably well made, burned at such a rate, that I was continually obliged to run to and fro, which greatly fatigued me. To add to my misfortune, the shop took fire, and we were all afraid that the roof would fall in and crush us. From another quarter, the sky poured in so much rain and wind that it cooled my furnace! Thus did I struggle with these cross accidents for several hours, and excited myself to such a degree, that my constitution though robust, could no longer bear such severe hardship. Suddenly attacked by a most violent intermittent fever, I was so ill that I was obliged to lie down upon my bed."

He, however, gave his directions in this state, and, to keep up the spirits of his assistants, ordered meat and drink into the shop for all the men.

"In this manner did I continue for two hours in a violent fever, incessantly crying out, 'I am dying, I am dying.' In the midst of my deep affliction, I saw a man enter the room, who in his person appeared to be as crooked and distorted as the letter S. In a tone of voice as dismal and melancholy as those who exhort and pray with culprits

* A celebrated sculptor and engraver of Florence, who was born in 1500, and died in 1570.

about to be executed, he exclaimed, 'Alas, poor Benvenuto, your work is spoiled, and the misfortune admits of no remedy.' No sooner had I heard the words of this messenger of evil, but I cried out so loud that my voice might be heard to the skies, and I got out of bed. I began immediately to dress, and giving plenty of kicks and cuffs to the maid-servants and the boys, as they offered to help me, I complained bitterly, 'O you envious and treacherous wretches, this is a piece of villany contrived for the purpose: but I will sift it to the bottom, and before I die, give such proofs who I am, as shall not fail to astonish the whole world.'

Having huddled on his clothes 'with a mind boding evil,' he hastened into the shop, where all was confusion and astonishment. The attendants thought their master dying; but he, losing not an instant, examined the furnace, found, to his dismay, the metal clogged, and sent for a load of young dry oak, and then filling the grate, he soon observed with delight, the clogged metal brighten and glitter. "This," says he, "made every man work enough for three. Then I caused a mass of pewter, about sixty pounds, to be thrown upon the metal in the furnace, which was speedily dissolved. Finding that I had effected this, I recovered my vigour to such a degree, that I no longer perceived that I had any fever, nor had I the least idea of death. Suddenly a loud and frightful noise was heard, and a glittering of fire flashed before our eyes, as if it had been the darting of a thunder-bolt. The cover of the furnace had burst and flown off, so that the bronze began to run! I immediately caused the mouths of my mould to be opened, but finding the metal did not run with its usual velocity, I ordered *all my dishes and porringers*, about two hundred, to be placed one by one before my tubes, and part of them to be thrown into the furnace, all about me obeying my orders with joy and alacrity: I, for my part, was sometimes in one place, sometimes in another, &c."

After expressing his gratitude for the change that had taken place in the appearance of things, "I took," he adds, "a plate of meat which stood upon a little bench, and ate with a great appetite: I then drank with all my journeymen and assistants, and went joyful and in good health to bed, and rested as well as if I had been troubled with no manner of disorder. When I arose, which was not till about noon the next day, my good house-keeper, who, without my having given any orders, had provided a young capon for my dinner, said, merrily, 'Is this the man that thought himself dying? I firmly believe that the cuffs and kicks you gave us last night frightened away your fever.' So my whole poor family† having got over the panic, procured earthen vessels to supply the place of the pewter dishes and porringers, and we all dined together very cheerfully; indeed I do not remember having ever in my life eaten a meal with greater satisfaction, or a better appetite. I also thought it allowable to boast a little of my knowledge and skill in this fine art of casting: and, pulling out my purse, I satisfied all my workmen for their labour."

The conclusion of the story of the Perseus may be easily guessed. It came out beautifully; the right foot, indeed, which supports the figure, was, as Benvenuto had told Duke Cosmo would be the case, defective, but it was easily supplied; and this charming and memorable statue is, at the present day, one of the greatest ornaments of that rich treasure-house of the arts, the City of Florence. The young hero is represented with the head of the Medusa in his hand, just after he has severed it from the body.

† Benvenuto toiled partly for the support of six orphan nieces.

MURMUR at nothing: if our ills are reparable, it is ungrateful; if remediless, it is vain. But a Christian builds his fortitude on a better foundation than stoicism; he is pleased with every thing that happens, because he knows it could not happen, unless it had first pleased God, and that which pleases Him must be the best. He is assured that no new thing can befall him, and that he is in the hands of a Father who will prove him with no affliction that resignation cannot conquer, or that death cannot cure.—C.

THE Emperor Augustus was advised by a friend, not to grieve for the death of a person whom he loved, because his grief could not fetch him back again. It is for that very reason, said the Emperor, that I grieve.

RENEWAL OF TREES.



AN OLD OAK, IN ITS DECAYED STATE.

THAT some old trees have a power of renewal, which seems scarcely consistent with the usual operations of nature, is a circumstance that has been sometimes observed, and the following remarks extracted from a little book, entitled, *A Week at Christmas*, may be relied upon as a fact. The trees there mentioned, are still growing on the Banks of the Wear, a few miles from Durham, and the annexed drawings were made by a lady, who had frequent opportunities of examining these trees in various stages of their growth. That, in its decayed state, is done chiefly from the recollection of what it was fifty years ago: the renewed tree, as it appeared last summer (1833). This old oak is always the first in the neighbourhood to put forth its leaves, and it remains green in the autumn, after all others are either brown and withered, or even entirely stripped of their foliage.

I will relate some curious circumstances respecting the growth of trees that have fallen under my own eyes. I recollect when a child, an old oak that grew in a hedge near my father's house: it was decayed and quite hollow within. Many a time my sisters and I used to climb to the top of the hollow, to examine a nest that a little bird had built there, and where she reared her young family.

In time, this hollow was filled up with sound wood, and when I was last at my father's house, instead of our old hollow oak, I saw a fine sound tree, with just a scar remaining up one side, where the latest growth had taken place.

Some years ago, I remarked an old alder that seemed to have been decayed and hollow for a great length of time, and I observed from a flourishing branch in the upper part of the tree, a sort of roots coming down, as if in search of the earth for nourishment. Mr. Nicholson and I have frequently visited it, and found that the roots crept down the hollow amongst the decayed wood, till they reached the ground; and there deriving nourishment, swelled, united, and became as the bole of the tree, filling up the great cavity, and displacing all the mouldering wood, till the whole is now nearly a solid tree.

T. J.

Mr. Jesse, also, thus speaks of some fine old trees in Windsor Forest:—

It is impossible to view some of these 'Sires of the Forest,' without feeling a mixture of admiration and wonder. The size of some of them is enormous; one beech-tree near Sawyer's Lodge in Windsor Great Park,



THE RENEWED TREE.

measuring, at six feet from the ground, thirty-six feet round. It is now protected from injury, and nature seems to be doing her best towards repairing the damage which its exposure to the attacks of man and beast have produced. It must once have been almost hollow, but the vacuum, has been nearly filled up. One might almost fancy that liquid wood, which had afterwards hardened, had been poured into the tree. The twistings and distortions of this huge substance have a curious and striking effect, and one might almost imagine them to have been produced by a convulsive throe of nature. There is no bark on this extraneous substance, but the surface is smooth, hard, and without any appearance of decay.

There are two magnificent old oaks near Cranbourne Lodge in Windsor Great Park,—one of them is just within the park paling and about 300 yards from the Lodge, and the other stands at the point of the road leading up to it. The former, at six feet from the ground, measures thirty-eight feet round. The venerable appearance of this fine old oak, 'his high top bald with dry antiquity,'—the size and expanse of its branches—the gnarled and rugged appearance of its portly trunk, and the large projecting roots which emanate from it, fill the mind at once with admiration and astonishment.

The other tree nearer to Cranbourne Lodge, is thirty-six feet in circumference at four feet from the ground, and may be considered as almost coeval with the one I have just been attempting to describe. Departing from her usual practice, Nature, in this instance, seems only in some respects to have resumed her vigour. This may be seen by a number of little feathering branches which have been thrown out of the stem. Another old pollard, not far from it, has only one live branch left; a branch which seems to flourish amidst decay. Hollies, thorns, and here and there a stunted hornbeam, look as if they might have been placed there for the purpose of keeping off any unhallowed intruders on the retirement of these venerable patriarchs, who, in return, seem to stretch forth the horizontal twistings of their large extended branches, to afford protection and shelter to their more humble brethren of the forest.

The most interesting tree, however, at Windsor, for there can be little doubt of its identity, is the celebrated Herne's oak. In following the footpath which leads from the Windsor road to Queen Adelaide's Lodge, in the Little Park, about half way on the right, a dead tree may be seen close to an avenue of elms. This is what is pointed out as Herne's Oak. I can almost fancy it the very picture of death. Not a leaf—not a particle of vitality appears about it. 'The hunter must have blasted it.' It stretches out its bare and sapless branches, like the

skeleton arms of some enormous giant, and is almost fearful in its decay. None of the delightful associations connected with it have however vanished. Among many appropriate passages which it brought to my recollection was the following:—

— there want not many that do fear
In deep of night to walk by this Herne's Oak.

Its spectral branches might indeed deter many from coming near it "twixt twelve and one."

The footpath which leads across the park is stated to have passed in former times close to Herne's oak. The path is now at a little distance from it, and was probably altered in order to protect the tree from injury.

The last acorn I believe which was found on Herne's Oak, was given to the late Sir David Dundas of Richmond, and was planted by him on his estate in Wales, where it now flourishes, and has a suitable inscription near it. I have reason to think that Sir David Dundas never entertained a doubt of the tree I have referred to, being Herne's Oak, and he had the best opportunities of ascertaining it. In digging holes near the tree lately, for the purpose of fixing the present fence round it, several old coins were found, as if they had been deposited there as future memorials of the interest this tree had excited.



HERNE'S OAK, IN WINDSOR PARK.

A little further on, to the left, where the ground somewhat rises, is a fine old pollard, which still flourishes; there being only one dead branch, which projects from the centre of the foliage. It is a fine specimen of old age in a tree. It measures twenty-seven feet round the middle of the trunk.

[Gleanings in Natural History, Second Series.]

THE inhabitants of the country over which we hunted are all Arabs. They live, like their brethren in other parts, almost entirely on camels' milk and dates. Their care appears limited to the preservation of the animal and the propagation of the tree, which yield what they account the best of this world's luxuries; and these not only furnish this lively race of men with food, but with almost all the metaphors in which their language abounds. Of this we had an amusing instance: amongst others who accompanied the Ambassador on a sporting expedition, was a young officer, who measured six feet seven inches; he, like others, had lain down to take an hour's repose, between our morning and evening hunt. An old Arab who was desired to awake him, smiling, said to his servant, "Entreat your date-tree to rise." We had a hearty laugh at our friend, who was not at first quite reconciled to this comparison of his commanding stature to the pride of the desert.—*Sketches of Persia.*

ON WILLS. No. I.

§ 1. ON THE DIFFICULTY OF MAKING A WILL.

THERE are some acts for which people think themselves qualified by Nature, and that Common Sense is a sufficient guide, without any necessity for Learning. The making a Will is one of these acts. Every man conceives himself able to make his own Will; it is as easy as writing a letter; any man may express his mind, without calling in a lawyer to help him. Yet the disputes which arise out of Wills, and the numerous law-suits they occasion, seem to prove, that the task is not really an easy one, and that in general it is very badly performed.

If it were to be proposed in Parliament, that no Will should be considered valid, which was not prepared by a lawyer, what a job in favour of the legal profession would it be thought! What a harvest it would be supposed to promise to counsel and attornies! We, on the contrary, believe that such an Act would be one of the most unfortunate for those learned bodies that could well be passed. Whether it would be good or bad for the Public, we do not pretend to decide; but there is little doubt that it would tend to ruin the lawyers.

The greatest gains of lawyers are not made out of the Wills which are prepared by themselves: such Wills, in comparison with others, are but seldom questioned. The lawyer gets his fee for drawing the document, and that is all he gets out of it. The ejectments at law, the never-ending suits in chancery, the issues, the trials, the hearings, the re-hearings, the appeals, which form his profit, arise, nine times out of ten, out of a Will drawn by the testator himself, according to (what he would call) the dictates of Common Sense.

To a certain extent, however, the advocates of Common Sense are right. Common Sense would be sufficient for making a Will, if the testator had enough of it, and used it properly. It is not a man's ignorance of law that generally stands in the way of his making a good Will, so much as his want of Common Sense and Reflection, or his not being in the habit of applying his Common Sense and Reflection to such subjects. The courts for the most part construe Wills according to Common Sense, and will give effect to a testator's wishes, if they can be discovered, in however unlaywerlike language they may be expressed. The difficulty is in discovering what the intentions of the testator really are.

Strange as it may seem, by far the greater number of the disputes which arise out of Wills, are caused by the deceased having expressed himself so carelessly, or so doubtfully, that, laying all law out of the question, no two sensible men can agree in saying with certainty what his real meaning was. His relations are sharpened by interest to scan every word of the instrument, and will thus often find a clause capable of two meanings, both of which may be supported by plausible arguments.

In fact, it often happens that a man, who is not accustomed to deep reflection, and who regards making a Will as an easier task than it really is, has not clearly made up his own mind at the very time when he is professing to reduce his intentions to writing. He provides only for those events which he thinks likely to happen; he does not consider how differently things may possibly turn up; and the consequence perhaps is, that a state of things occurs after his death, for which he has made no provision, and for which you must try to guess what provision he would have made, if he had foreseen it. Lawyers make better Wills than other people, not so much

from their knowledge of law, as from their habit of regarding both sides of a question. The help of a lawyer is wanted by a testator, not so much to put his wishes into legal language, as to make him fix and define what his wishes really are.

Instances without end of this obscurity may be found in opening the books of reports. A man gives 3000*l*. for the benefit of "his poor relations." Can any thing be more vague? What relations does he mean? how near must they be to him? for all persons living are relations to each other, as descendants from Adam. Again, what is to be the measure of their poverty. An income which is riches to one man, is poverty to another. Who is to be the judge? No doubt, all this man's relations thought themselves poor enough to be entitled to some share of the legacy.

Take another case. A testator gives a legacy to "his brother Lancelot's family." Lancelot was living at the testator's death, with a wife and eight children. To whom was this legacy payable: to Lancelot himself, to his wife, or to his children? or was it to be divided among them all? or was Lancelot to have the interest for his life, and was the principal to be divided after his death? In both these cases, it was not the testator's ignorance of law that caused the difficulty, it was his want of common sense.

Our object, however, in these remarks, is not to frighten our readers from making their own Wills, but to point out the difficulties they have to contend with, and to persuade them not to underrate those difficulties. We also hope to give some few short rules for the composition of Wills, which may be of assistance, not only to the parties themselves, but to those, who, acting as advisers in other capacities, are often called upon by a dying man to assist him in the disposition of his property. We allude to Clergymen and Medical men; both of whom, but the former especially, are often applied to by the humbler sort of those they visit for assistance of this nature; and who have often expressed their regret at feeling themselves, in spite of their superior education, hardly better qualified for the task than those who apply to them.

We do not pretend to prescribe in difficult cases: those who are nice about the disposition of their property must send for their attorney, or risk the consequences: we cannot do more than suggest hints for framing bequests of a simple nature, such as alone a testator ought to trust himself to make without professional advice.

§ 2. ON THE DIFFERENCE BETWEEN REAL AND PERSONAL PROPERTY.

Our first step must be, to give our readers some idea of the difference between *real* and *personal* property: for Wills differ very much, both in the forms they must undergo, and the meaning which will be put on their language, according as they relate to the one or the other of these two sorts of property.

All property which can be enjoyed by mankind, falls under one of these two classes: it is either *real property*, or *personal property*. Land, and every thing connected with or issuing out of land, as houses, lakes, canals, fisheries, rents, rights of way, rights of common, &c., &c., form *real property*: every thing else imaginable is *personal property*. And even land, and the things connected with it, are *real property* only to those who have a *freehold* interest in it: that is, only to those to whom it belongs for their lives, or for the lives of others, or to descend to their children, or to descend to all their heirs however remote. When you hear of a man being a *freeholder*, it means that

he has a house, or land, or something connected with land, in one of these four modes. If he holds a house or land for a term of years only, or at the will of his landlord, he is not a freeholder, and his property in the house or land is not *real property*. The *real property* in the house or land belongs to the landlord; and the tenant has merely a right of occupation for a certain period, which the law regards as *personal property*.

Thus, if a farmer is about to make his Will, and wishes to dispose of his farm, he must consider whether it belongs to him absolutely, or whether he has it on a lease for lives, or on a lease for years, or at will. If he has it absolutely, or on a lease for lives, it is *real property*: if for years, or at will, *personal property* only.

It is plain that, for one person who is the owner of any *real property*, there are hundreds who have *personal property* belonging to them. There is scarcely any one, however poor, who has not some personal property to dispose of, while the owners of freehold lands and houses are few in comparison, and those generally of the richer sort. For this reason, and because Wills of real property are much more difficult to frame, and require much more knowledge of law, than Wills of personal property, we shall confine ourselves entirely to the latter sort of Wills, and shall not venture to give any instructions for the disposition of real property, beyond one remark, which we cannot forbear making, because the wishes of testators have been so often frustrated by their ignorance of a very simple point.

If you bequeath a ring, or a sum of money, or any *personal property*, to A. B. without saying any thing more, A. B. will take your legacy absolutely and for ever, and may do with it what he pleases, as you no doubt intended he should. If you intended otherwise, you would most likely have said, "I give it to A. B. to be enjoyed during his life, and afterwards to go to C. D." Here, therefore, the law agrees with the common sense of testators.

But if you bequeath a freehold house, or farm, or any *real property*, to A. B., without saying any thing more, A. B. will take this bequest only for his life, and not absolutely; and, at his death, the house or farm will not pass by his Will, or go to his children or heirs, but will come back to the person who then happens to be your heir. Here the law often disappoints the common sense of testators; and, if therefore you wish the house or farm to go to A. B. absolutely, in the same manner as the ring, or the money, you must bequeath it "to A. B. and his heirs."

This is all we shall allow ourselves to say about real property; and whatever future papers may appear on this subject, must be understood to apply to Wills of personal property alone. W.

[To be continued.]

It is the best and longest lesson, to learn how to die; and of surest use: which alone if we take not out, it were better not to have lived. Oh vain studies of men, how to walk through Rome streets all day in the shade; how to square circles, how to correct mis-written copies, to fetch up old words from forgetfulness, and a thousand other like points of idle skill; whilst the main care of life and death is neglected.—BISHOP HALL.

WHEN we think of death, a thousand sins, which we have trode as worms beneath our feet, rise up against us flaming serpents.—SIR WALTER SCOTT.

WE are too apt to misjudge the dispensations of Providence, when we wish them with our own wishes.—SKELTON.

NOTES FROM A TRAVELLER'S SCRAP BOOK.

No. I. A NIGHT AT ST. BERNARD'S.

It was early in August, and it may have been rather too late in the day, when I stepped out of the Eagle Inn at Martigny, in full expectation of reaching, long ere the sun went down, the far-famed Hospice of the Great St. Bernard. To see this celebrated spot, or rather, to see and to fondle the celebrated Dogs*, had been a long-cherished hope, to which a thousand romantic ideas were attached.

The distance from Martigny to the Great St. Bernard is about thirty miles. We had not advanced far in the deep ravine between the terraced rocks, through which the road lies, before the sun had made it little better than a furnace; I felt a lassitude, weariness, and thirst, at first distressing, then agonizing; at the sight of every fresh spring, which ever and anon crossed our path, hastening downwards into the foaming Drance beneath, I took out my folded leather three-cornered cup, and drank heartily.

This was perceived by the Guide, who cautioned me that all the springs on this eastern side of the defile were strongly impregnated with lead, and that if I continued to drink of them, I should never reach the Hospice alive. With my parched lips and throat, to be told not to drink, when, such was the roar of the torrent on all sides, I could scarcely hear the guide speak, seemed nonsense, and I observed, that, as there was no poison in the glacier torrent of the Drance, which was tumbling and foaming and thundering along its rocky bed, surely I might drink of that stream without danger? To this he assented, remarking that it was one of the few glacier torrents of which it was safe to drink; but he knew at the same time that, from the depth of its channel, it would be next to impossible for me to get sufficiently near to drink of it.

The road, till noon, ran along that side of the ravine which exposed us to the full glare of the morning sun; after noon, it took a turn over the torrent, and, consequently, so long as there was any sun shining, we had it. Another inconvenience was, that the road was one continued ascent, becoming sensibly steeper at every quarter of a mile, till even the larches disappear, a certain sign of the height in the mountain pass to which we had attained. We were still six miles from the Hospice; six miles of steep and rugged road, amidst huge fragments of rocks scattered on all sides in the little plains among which the road winds its way. Here vegetation entirely ceases; on all sides is desolation and a desert. If a plant happens to take root during the few sunny days that shine out upon this land of fogs, the avalanches, the frost-riven rocks that are incessantly falling from the heights, dislodge from its temporary bed every thing that grows, and carry it down to the depths of the dell, where it is again covered in another year by new wrecks and ruins.

The sight of all this ruin, together with the rapidly-increasing coldness of the air, and the certainty that for the six remaining miles not even a log-hut would be met with, urged me to renewed efforts, especially when I considered what my chief companion might endure in mind and body, if we were overtaken by night amidst such fearful and desolate scenery. Having wrapped her well round with an ample dreadnought travelling-cloak, I roused myself to renewed exertions by my endeavours to cheer her.

At length the sun set; when that disappeared, night presently followed, and darkness began to gather very gloomily around us. Fortunately, however, our road now lay no longer altogether among the black and gloomy rocks, but among masses and fields of white and glistening snow. After a few minutes' silence, the voice of the guide was heard;—"Cheer up," he said, "turn one corner more, and then the Hospice." Onward we went, with right merry hearts, and, turning the snow-covered rock, immediately in front of us appeared the building, dimly seen, but apparently of vast dimensions; lights appearing in various windows of its extensive front. Before we reached the building, several figures, bearing lights, issued from the front entrance, and the noble dogs, coming up quietly and gently to our sides, wagged their tails and brushed our sides, giving us, in their way, a hearty welcome.

By this time we were surrounded by the Monks themselves, and most kindly welcomed. They led us to the door, aided the party in dismounting, and ushered us into a noble hall, where, shivering, weary, hungry, and exhausted, as we all were, every thing for our comfort was immediately spread before us. The sudden contrast of the last minute

partook, indeed, of the magical; not a minute before, we were cheerless, half frozen, miserable, destitute travellers, making our painful way to an unknown asylum, through fields of snow and among mountains of ice. Now we stood in a spacious hall, lighted up to its most distant corners by a magnificent fire, pile upon pile of wood crackling and flaming, and betokening from its ample hearth the kind, and abounding, and considerate hospitality that prevailed in this noble institution. A table of ample dimensions was prepared for a liberal meal; glasses glittered over its whole surface; thirty or forty bottles of wine stood by the side of as many plates, and about a score of English gentlemen rose from their seats to congratulate us on our safe arrival, and to announce that now we had arrived, the supper would be served.

Upon this we retired to our several sleeping apartments, to which the monks themselves conducted us, to make such preparation as a few minutes would permit. Here, again, was new matter for astonishment. In the apartment we were to occupy was a flaming wood-fire, abundance of hot water, a regular English four-post full-sized bedstead, with scarlet moreen hangings, a capital feather-bed, and every other comfort that we could desire in our own bedroom at our own English dwelling. I was literally astounded; wherever we turned, we saw around us in this house, placed as it is among eternal snows in the loftiest Alps, comforts, nay, luxuries, literally English, which we had not met with even in the first-rate hotels of Paris, or in the well-furnished hotels of the German cities.

When we rejoined the party, we found a multitude of hot dishes smoking on the table, and our appearance was the signal for each to be seated. I appeal to all who have supped at the Grand St. Bernard, whether they ever met with a better selected variety of viands, than they met with at this hospitable board. There was great variety; dishes suited to every taste, to every conscience; meats and vegetables in abundance; but no ostentation, no profusion; enough and to spare appeared to be the rule of the house.

Much care and foresight are required to provide all this abundance in due season, and to preserve and husband it in such a wilderness as that in which the Hospice is placed. The whole of the necessaries and the luxuries of life which were spread before us; the wood for the fires; the fodder for the cattle; weighty articles and bulky; are all brought on the backs of mules, from distant vallies and the still more distant plains of Italy.

I have travelled far and wide on the Continent, and have eaten fruit in every city, and in most of the towns of Italy; at Florence, Lucca, Pisa, Genoa, and Naples, and can safely say, that never on the Continent did I eat peaches, and nectarines, and grapes, superior in flavour to those of which I that night partook at the Hospice of St. Bernard, nor did I ever meet with a person more desirous to please, or more affable and intelligent, than the individual to whom the care of strangers was at that time intrusted. About half-past ten o'clock, we retired to our several rooms. The fatigues of the day had prepared me fully to enjoy the clean and excellent bed which was provided for me. In the morning, the fire was burning bright in my room, and I felt that the keen mountain air had given me a good appetite. A noble breakfast was ready in the cheerful hall where we had supped the previous evening.

Breakfast being ended, our intelligent friend led the way to a cabinet of Roman coins and antiquities, found in the ruins of a small temple that once stood near this spot; from whence we repaired to the site of the temple itself. No sooner, however, had we fairly passed through the front door, than we were enveloped in clouds: a fog we called it, but such a fog! We could distinguish no object whatever at four yards' distance. Upon turning a sharp rock, which lay at right angles to our path, we disturbed, and almost trod upon, a noble eagle; up he sprang, with a whizz and a scream; before we recovered from our surprise, he had cleaved through the clouds, and was perhaps soaring with expanded wing in the full light of the glorious sun. We proceeded to the ruins, but previous visitors had already carried off almost every morsel of brick and marble that had ever belonged to them.

Returning to the Hospice, we visited the chapel, in search of the alms-box, and as we had been treated like princes, I do hope, that none of us acted like beggars, or dropped into the box a less sum than was due to the hospitality with which we had been treated. There was,

* See *Saturday Magazine*, Vol. II., p. 177.



THE HOSPICE ON MOUNT ST. BERNARD.

however, no one in the chapel but ourselves; we might, therefore, have left it without giving a sou, or the Hospice altogether, without entering the chapel, or making the slightest acknowledgement.

But here were no servants to fee, no bills to pay; the accommodation and fare inferior in nothing to those supplied by the first hotels in Europe, such as to leave nothing to be asked for; and all this accompanied with the most polite attention, and the least possible appearance of providing. Such are the arrangements at the justly-famed Hospice of the Great St. Bernard, and such is the willing testimony that a grateful traveller pays, for the kindness he once there received.

But I have tarried long on this mountain-pass, and must prepare to descend from it, not, however, without taking leave, and again caressing our four-footed favourites. One, who had of himself saved several lives, was especially pointed out as *invaluable*, from his superior sagacity and courage. Immense were the obligations that travellers owed to this noble animal, and wonderful and pleasing were the anecdotes recorded of him. His three companions had also their meed of praise; but they were younger, and had not seen so much service.

After long delay, and much petting and patting and caressing, we at length took final leave of these powerful, sagacious, gentle, and interesting dogs; their subsequent fate is melancholy. Within four months from the day we parted from them, they were carried down into the deepest depths of an awful ravine, and buried many hundred feet deep, by an unlooked-for and desolating snow avalanche, which was set in motion by a drift wind. One of them, which had not advanced so far in the defile as the rest, was saved; the others were never again seen nor heard of. Scarcely any occurrence could have created greater consternation at the Hospice than this melancholy event; it was in some respects irreparable, for such at the time was the dangerous state of the passes, that it was impossible to call in their two or three remaining dogs from Martigny and Sion. Even when they arrived, considerable time must elapse before their sagacity could be sufficiently exercised to enable them to track the footsteps of man beneath the snow, which, falling for days and weeks together, obliterated every path.

As easy would it be to steer a ship through the densest fogs, with neither sun, moon, nor stars visible for weeks together, as for any one to find their way across this moun-

tain in the snow-storms. Yet will these animals track their way with sagacity and certainty, under the most trying difficulties. Mountains may fall, as they did on this occasion, or a sudden change of wind raise in an instant whirlwinds of snow, or hurl down an avalanche, and the faithful guides may themselves be overwhelmed with destruction; but these are casualties, and it is surprising that the dogs escape as they do, since they are every day engaged in the same perilous work;—treading ravines, and passing under overhanging masses of snow, where no foot but their own durst venture within perhaps a mile of the spot, and where one single bark would bring down mountain-masses to their certain destruction.

On the previous evening, we had not observed a small low stone building, about a mile below the summit of the pass. On our return, seeing a large window open, but strongly grated, I looked in, and saw lying on the floor, extended at full length, three dead bodies. One, the freshest of the three, had been laying there about nine months; he was an Italian, apparently a muleteer, and as that is rather a swarthy tribe, I could perceive no difference in the complexion between the dead specimen and the living race. The others were darker still; they had been lying there, one of them two, the other nearly three years; the clothes of this last were fast falling to decay; the skin of his face, and the apparent hardness of his muscles, reminded me of old tanned ox hide, for the sole of shoes, stamped or punched out so as to resemble human features. The features of all were discernible, and I should judge distinctly recognisable, more especially those of the Italian. These bodies had been discovered by the dogs under the snow, and not having been inquired for, and being unknown, they were laid out to be claimed, dressed precisely as when found. So great is the degree of cold in these high regions, that bodies placed here never decay. In time they dry up like mummies, but that is the only change they undergo; here, however, they remain, till they can no longer be recognised by their features or their clothes, and if not then claimed they are buried.

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